REMARKS

In the February 7, 2007 Office Action, the Examiner noted that claims 1-9 were pending in the application; objected to claims 1, 3, 7 and 9; rejected claim 9 under 35 U.S.C. § 101; rejected claims 1-9 under 35 U.S.C. § 112 ¶ 2; and rejected claims 1-9 under 35 U.S.C. § 103(a) as being unpatentable over Tan et al. (U.S.. Patent No. 6,542,549) in view of Kato (U.S. Patent No. 6,744,927). Claims 4 and 5 are cancelled herein. New claim 10 is added. Thus, claims 1-3 and 6-10 are currently pending in the case. The rejections are traversed below.

In the Specification

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. The specification is amended herein to remove the hyperlinks in the Description of the Related Art. In view of the foregoing, the Applicant respectfully requests that the objection be withdrawn.

Claim Objections

Claims 1, 3, 7 and 9 are objected to because of informalities. The claims are amended herein, replacing "and/or" with "or". In view of the foregoing, the Applicant respectfully requests that the rejection be withdrawn.

Rejections under 35 U.S.C. § 101

Claim 9 is rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claim 9 is amended herein to recite a "computer-readable medium storing a real-time contents editing program" (see lines 1-2). In view of the foregoing, the Applicant respectfully requests that the Examiner withdraw the rejection.

Rejections under 35 U.S.C. § 112

Claims 1-9 are rejected under 35 U.S.C. § 112 ¶ 2. The independent claims are amended herein to recite "a kind and use frequency". In view of the foregoing, the Applicant respectfully requests that the Examiner withdraw the rejection.

Rejections under 35 U.S.C. § 103

Claims 1-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tan et al. (U.S. Patent No. 6,542,549) in view of Kato (U.S. Patent No. 6,744,927).

Amended claim 1 recites "at least one editing module that requests the distribution modules to distribute the image or voice to the receiving modules" (see lines 10 and 11). The Examiner equates the "video buffering verifier (VBV)" in Tan et al. with an editing module (see page 5, last line through page 6, first line, of the Office Action). The editing module as recited in amended claim 1 "requests the distribution modules to distribute the image or voice to the receiving modules" (lines 10 and 11). The VBV disclosed in Tan et al., fails to perform the above feature.

Tan et al. also fails to disclose "causing each distribution module to change, in accordance with the performance level, a kind and use frequency of a video object plane (VOP) to be used, to thereby select a coding algorithm which enables highly efficient compression" (see the last three lines of amended claim 1). Tan et al. discloses that "[t]he video buffering verifier (VBV) is an algorithm for checking a bitstream with its delivery rate function, R(t), to verify that the amount of rate buffer memory required in a decoder is less than the stated buffer size" (see column 11, lines 29-32). "It is a requirement on the encoder to produce a bitstream which does not overflow or underflow the VBV buffer" (see column 13, lines 60 and 61). However, Tan et al. fails to teach or suggest selecting a coding algorithm in accordance with the performance level. Kato also fails to teach or suggest the above features.

Claim 2 depends from claim 1 and adds further limitations thereto. Thus, the arguments above with respect to claim 1 also apply to claim 2.

Amended claim 3 recites:

at least one editing module that requests the distribution modules to distribute the image or voice to the receiving modules, wherein the performance level of a machine to be used is determined through measurement, in the system, of a time required for coding of a video object plane (VOP), and wherein each distribution module changes, in accordance with the performance level, a kind and use frequency of a video object plane (VOP) to be used, to thereby select a coding algorithm which enables highly efficient compression.

Thus, amended claim 3 is also distinguishable over the combination of Tan et al. and Kato.

Claims 6-8 depend from claim 3 and add further limitations thereto. Thus, for at least the reasons above, these claims are also distinguishable over the combination of Tan et al. and Kato.

Amended claim 9 recites:

at least one editing module that requests the distribution modules to distribute the

image or voice to the receiving modules, the program causing a computer to execute a method comprising: determining the performance level of a machine to be used through measurement, in the system, of a time required for coding of a video object plane (VOP); and causing each distribution module to change, in accordance with the performance level, a kind and use frequency of a video object plane (VOP) to be used, to thereby select a coding algorithm which enables highly efficient compression.

Thus, amended claim 9 is also distinguishable over the combination of <u>Tan et al.</u> and <u>Kato</u>.

For at least the reasons above, it is respectfully submitted that the rejection is overcome.

New Claim

New claim 10 recites:

an editing unit that requests the distribution units to distribute coded data to the respective receiving unit, the editing unit determining the performance level of a distribution unit by measuring the time required for coding of a video object plane and, in response thereto, causing the distribution unit to select a coding algorithm in accordance with the performance level, thereby facilitating efficient data compression.

Thus, new claim 10 is also distinguishable over the combination of <u>Tan et al.</u> and <u>Kato</u>.

Summary

In accordance with the foregoing, the specification and claims 1, 3 and 9 have been amended. Claims 4 and 5 have been cancelled. New claim 10 is added. Thus, claims 1-3 and 6-10 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: _5^3-07_____   By: _____
John C. Garvey
Registration No. 28,607

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501